



21

1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Jeffrey E. Habben
Application Number : 09/545,334
Filing Date : 04/07/2000
Title : Regulated Expression of Genes in Plant Seeds

Group/Art Unit : 1638
Examiner : Baum, Stuart F.

Attorney Docket Number : 0803

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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LETTER

Examiner has requested that Applicant submit a legible copy of the amendment filed on July 28, 2003 in response to the office communication mailed March 27, 2003. The amendment was considered a *bona fide* attempt to respond but has not been entered because the faxed copy was of poor quality. Enclosed is a legible copy of the original documents as faxed for entering into the application.

Respectfully submitted,

Karen K. Varley

Karen K. Varley
Agent for Applicant(s)
Registration No. 45,751

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/545,334	
	Filing Date	04/07/00	
	First Named Inventor	Jeffrey E. Habben	
	Art Unit	1638	
	Examiner Name	S. Baum	
Total Number of Pages in This Submission	23	Attorney Docket Number	0803

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1 mo. Extension of Time
Remarks		

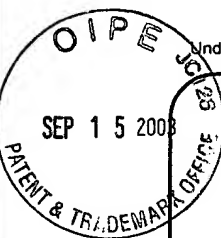
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Karen K. Varley
Signature	<i>Karen K Varley</i>
Date	July 28, 2003

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 110

Complete if Known	
Application Number	09/545,334
Filing Date	04/07/00
First Named Inventor	Jeffrey E. Habben
Examiner Name	S. Baum
Group / Art Unit	1638
Attorney Docket No.	0803

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METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input checked="" type="checkbox"/> Deposit Account:		Large Entity Small Entity	
Deposit Account Number: 16-1852		Fee Code Fee (\$)	
Deposit Account Name: Pioneer Hi-Bred International, Inc.		Fee Description	
The Commissioner is authorized to: (check all that apply)		Fee Paid	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051 130 2051 65 Surcharge - late filing fee or oath	
<input type="checkbox"/> Charge any additional fee(s) during the pendency of this application		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053 130 1053 130 Non-English specification	
1. BASIC FILING FEE		1812 2,520 1812 2,520 For filing a request for reexamination	
Large Entity Small Entity		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
Fee Code Fee (\$)		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
1001 750 2001 375 Utility filing fee		1251 110 2251 55 Extension for reply within first month	
1002 330 2002 165 Design filing fee		1252 410 2252 205 Extension for reply within second month	
1003 520 2003 260 Plant filing fee		1253 930 2253 465 Extension for reply within third month	
1004 750 2004 375 Reissue filing fee		1254 1,450 2254 725 Extension for reply within fourth month	
1005 160 2005 80 Provisional filing fee		1255 1,970 2255 985 Extension for reply within fifth month	
SUBTOTAL (1) (\$) 0		1401 320 2401 160 Notice of Appeal	
2. EXTRA CLAIM FEES		1402 320 2402 160 Filing a brief in support of an appeal	
Total Claims: 0		1403 280 2403 140 Request for oral hearing	
Independent Claims: 0		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
Multiple Dependent: 0		1452 110 2452 55 Petition to revive - unavoidable	
Large Entity Small Entity		1453 1,300 2453 650 Petition to revive - unintentional	
Fee Code Fee (\$)		1501 1,300 2501 650 Utility issue fee (or reissue)	
1202 18 2202 9 Claims in excess of 20		1502 470 2502 235 Design issue fee	
1201 84 2201 42 Independent claims in excess of 3		1503 630 2503 315 Plant issue fee	
1203 280 2203 140 Multiple dependent claim, if not paid		1460 130 1460 130 Petitions to the Commissioner	
1204 84 2204 42 ** Reissue independent claims over original patent		1807 50 1807 50 Processing fee under 37 CFR 1.17 (q)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		1806 180 1806 180 Submission of Information Disclosure Stmt	
SUBTOTAL (2) (\$) 0		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
**or number previously paid, if greater; For Reissues, see above		1809 750 2809 375 Filing a submission after final rejection (37 CFR § 1.129(a))	
		1810 750 2810 375 For each additional invention to be examined (37 CFR § 1.129(b))	
		1801 750 2801 375 Request for Continued Examination (RCE)	
		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify) _____	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 110	

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Karen K. Varley	Registration No. Attorney/Agent	45,751
Signature	Karen K. Varley	Telephone	515-334-6780
		Date	July 28, 2003

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- 6) Copy of Fee Transmittal (1 Page)
- 7) Copy of Petition for Extension of Time (1 Page)
- 8) Copy of Amendment and Request for Reconsideration (18 Pages)

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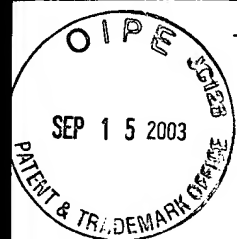
Application No. 09/545,334; Attorney Docket No. 0803

1. Fax Cover Sheet (1 pg.)/ 1 copy
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TO: Commissioner for Patents
FROM: Karen K. Varley, Registration No. 45,751
RE: U. S. Patent Application No. 09/545,334; Attorney Docket No. 0803
Applicants: Habben, et al.
Title: Regulated Expression of Genes in Plant Seeds
DATE: July 28, 2003 FAX NUMBER: (703) 872-9306
NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 22

COMMENTS:

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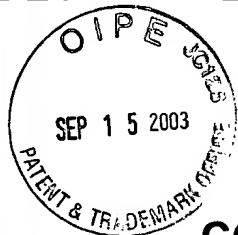
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Johnston, Iowa 50131-1000

Phone: (515) 334-6780
Fax: (515) 334-6883

TO: Commissioner for Patents

FROM: Karen K. Varley, Registration No. 45,751

RE: U. S. Patent Application No. 09/545,334; Attorney Docket No. 0903
Applicants: Habben, et al.
Title: Regulated Expression of Genes in Plant Seeds

DATE: July 28, 2003 FAX NUMBER: (703) 872-9306

NUMBER OF PAGE(S) FOLLOWING THIS SHEET: 22

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